

**KAYSVILLE CITY COUNCIL
MARCH 3, 2016**

Minutes of a regular meeting of the Kaysville City Council held March 3, 2016 at 7:00 p.m. in the City Council Chambers of the Kaysville City Municipal Center.

Council Members present: Mayor Steve Hiatt, Susan Lee, Chris Snell, Larry Page, David Adams and Jake Garn.

Others present: City Manager John Thacker, Finance Director Dean Storey, Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Maria Devereux, Parks Superintendent Vance Garfield, Parks Director Cole Stephens, Recreation Director Kris Willey High, Doug Nosler, Noah Bowcut, Mason Green, John Loveless, Bronson Bowcut, Carole Walker, Ramona Porter, Dave Davies, Troy Allen, Gerald McKenzie, J.T. Cahoon, Andrew McKenzie, Bill Sanders, Beth Sanders, Cameron McIntyre, Allan Wursten, Tammy Wursten, Lorene Kamalu, Ali Clarkm Justin Keate, Devin Williams, Blake Williams, Charlie Gardiner, Nathan Easthope, Jordan Cammack, Missy Nielsen and Katie Witt.

VOLUNTEER OF THE MONTH RECOGNITION

Council Member Snell recognized Doug Nosler as the Volunteer of the Month. Doug is being recognized for coaching soccer and basketball for Kaysville Recreation for nearly thirteen years.

Doug Nosler stated that he feels that athletics are important for kids. His family is from the area and he appreciates the ability to live somewhere with opportunities to serve others.

Council Member Snell presented a plaque and a token of appreciation to Doug Nosler and thanked all volunteers who give to the community.

CALL TO THE PUBLIC

There were no citizens who wished to speak during the Call to the Public.

KAYSVILLE SUNSET EQUESTRIAN ESTATES PLAT 18 SUBDIVISION FINAL PLAT

Andy Thompson stated that Symphony Homes has been developing the northern portion of Sunset Equestrian Estates over the last few years. They have recently completed Phases 15A and 15B and would now like to start on Plat 18. Staff has reviewed the plat and found it to be in compliance with the ordinance and the Planning Commission recently recommended approval.

Council Member Garn made a motion approving the final plat, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Lee, yea
Council Member Snell, yea
Council Member Page, yea
Council Member Adams, yea
Council Member Garn, yea

The motion passed unanimously.

TYLER MEADOWS SUBDIVISION FINAL PLAT AT 988 WEST SMITH LANE

Andy Thompson explained that this development has had a lot of discussion. The final plat and improvement drawings have been completed and are in good order. There are larger lots near the existing homes to the north and some slightly smaller lots to the south where the new road connects to Smith Lane. During the preliminary review process there were concerns regarding the impact of traffic from this development. The Council recommended that the subdivision be built and then the new Traffic Calming Policy applied if the issues actually come to light. It was also explained that there is a desire to have a crosswalk on Smith Lane where the new street connects.

Council Member Snell asked what the cross walk would look like. Andy Thompson stated that it would be a striped cross walk with a crossing guard if warrants are met.

Council Member Snell made a motion to approve the final plat as outlined with the expectation that a cross walk would be located on Smith Lane, second by Council Member Larry Page.

The vote on the motion was as follows:

Council Member Lee, yea
Council Member Snell, yea
Council Member Page, yea
Council Member Adams, yea
Council Member Garn, yea

The motion passed unanimously.

APPROVAL OF AGREEMENT WITH OLD MILL VILLAGE HOMEOWNERS ASSOCIATION, INC. TO ACQUIRE AND ENHANCE SUBSTATION PROPERTY AND RELEASE AND DISCHARGE CLAIMS REGARDING THE DEVELOPMENT OF OLD MILL VILLAGE SUBDIVISION

John Thacker explained the events leading up to this Agreement with the Old Mill Village Homeowner's Association (HOA) and that it has been in process for a significant amount of time. The Agreement is a result of a developer's non-performance. The City has been working with the HOA to resolve the concerns. An agreement was created about a year ago but was not approved by the Council due to title issues. The title issues have been cleared up and with minor

updates to the Agreement, such as corrected dates, the Homeowners Association has signed the Agreement. It is now ready for approval by the City Council.

Mayor Hiatt stated that he believes the Council was ready to approve the previous agreement with the exception of the title issues so he is encouraged that they have been cleared up.

Council Member Snell clarified the details of the Agreement. The City will purchase portions of the open space in the subdivision to enhance the City's substation near Burton Lane. The funds from the land purchase will go to the HOA so that they can complete items that the developer never completed.

John Thacker stated that the HOA will receive funding for making improvements and there will be less land for the HOA to improve.

Council Member Snell stated that the surety that existed on this project was with Barnes Bank which could not be collected when the bank failed. He then stated that it does appear to be a win win for the owners in the subdivision and the City.

Council Member Snell made a motion to approve the Agreement as outlined, second by Council Member Garn.

Council Member Garn asked for further discussion and asked what improvements the City would make.

John Thacker explained that the improvements to the substation property would be the installation of a fence and replacement of the temporary driveway.

Council Member Garn asked where the funds would come from. John Thacker stated that the funds would come from the City's Electric Utility Enterprise Fund.

The vote on the motion was as follows:

Council Member Lee, yea
Council Member Snell, yea
Council Member Page, yea
Council Member Adams, yea
Council Member Garn, yea

The motion passed unanimously.

ADOPTION OF VEHICLE USE POLICY

Dean Storey described the recent discussion of the draft vehicle use policy. Some changes were suggested during that discussion so it is being presented tonight with those modifications.

One change was to have logos on City vehicles that are 11 inches or larger in diameter and placed on the vehicle in a visible location. Samples of the logos were passed around for review.

The recommendation was that the logos be applicable to all City vehicles except public safety vehicles.

Mayor Hiatt stated that the City went through a branding review some time ago which updated the logo. The Kaysville City pin was recently done which has become the seal. The Council work meeting discussion was to have the new seal (circle logo) on vehicles with the department name listed under the logo. The Mayor stated that while the proposed logo is good, it may not have the best eye catching background because of the dark gray color. He suggested that the white background be the version of the logo that is used and include the text Utah's Hometown. He suggested that the department name could be below the logo.

The Council preferred the consistent logo with the department name below it to maintain the brand of Utah's Hometown.

Dean Storey explained the other recommended changes including changing the wording of Police to Public Safety to include Police and Fire Department vehicles.

Dean Storey explained another change in Section Four, paragraph b to include "incidental use of a city vehicle is permitted", which applies to on call vehicles. An example would be for an employee to make a stop on the way home.

Council Member Snell asked if this was for vehicles that are taken home or vehicles that remain at the City, making sure that this was for a scenario that an employee using a vehicle for job related uses could make an incidental stop such as for getting lunch.

Council Member Adams asked if there were consequences outlined in the policy for misuse of a City vehicle.

Dean Storey stated that there is a Memo of Understanding that each employee must sign which indicates they understand the use requirements.

Council Member Snell asked if language in the policy needs to be changed to address the appearance of the logo.

Dean Storey stated that the language is appropriate as is, but that staff will make copies of the proposed logos before mass producing them.

Council Member Adams asked if there was a policy regarding use of vehicles outside City limits such as limiting use outside of the City unless authorized by a department head.

Council Member Lee suggested there be a distance restriction to how far employees can take a vehicle home.

Dean Storey stated that there are employees who take a vehicle home which administration believes is a benefit both to the employee and the City ensuring the employee's ability to respond to City needs.

Council Member Adams stated that he still would like clarification about a distance limit for taking vehicles home.

Dean Storey stated that staff would welcome a recommendation for a distance limit.

Council Member Page stated that he does think there should be a distance limit because at a certain distance it is not a benefit to the City to have employees take home a vehicle, even for public safety.

Council Member Garn stated that he agreed with the idea of setting some limits and referenced the next agenda item where there is discussion regarding where employees live and how to be able to recruit and attract good talent. It would be unwise to be too restrictive.

Council Member Page stated that when someone lives too far the cost is too high for very little benefit to the City. While getting too restrictive or specific may be difficult there should be a spirit of this concept in place.

Council Member Garn stated that he agrees with the discussion but wants to make sure that the cost of the vehicles, which may be minor, shouldn't restrict good employees.

Council Member Page stated that from his experience, vehicles are not a small cost to keep and maintain.

Council Member Adams recognized that police vehicles in particular are nice to have throughout the community because of the impact that it has on deterring crime but other departments may not have that impact. It is important that something be in place to have a better level of protection. Magnets shouldn't be permitted. The City shouldn't get into a position where there is an accident or something that puts the City at risk because employees weren't made aware of proper use.

Mayor Hiatt stated that the majority of employees using vehicles are using the vehicles appropriately. He stated that he believes because there are many appropriately using the vehicles that getting too specific or too restrictive may hamper appropriate incidental use. Having the policy as proposed will be a big step forward and make sure employees know what is expected. Having something in place and reviewing it as needed is an option if the proposed policy isn't sufficient.

Council Member Garn stated that trusting employees is important and most effective for individuals who are honest. Having the policy in place will simply reinforce and clarify the good use of vehicles. Getting too specific may hurt those who use things appropriately.

Council Member Adams stated that having a backbone to fall back on is important. He stated that if employees follow the spirit of the law and don't take any actions that they wouldn't be able to justify to the Council then the use is appropriate.

Mayor Hiatt stated that even trying to get very specific it is nearly impossible to cover every scenario so there will need to be some oversight by Department Heads and it will be necessary that they make good decisions.

Council Member Lee stated that she feels the limitation would not be for police vehicles but for other departments.

Mayor Hiatt stated that other cities have a distance of 25 miles as a restriction but maybe language such as a reasonable distance is appropriate.

Council Member Lee stated that the wording could include a specific distance such as 25 miles and there may be an exception that could be presented to the Council for consideration.

Council Member Garn asked if employees would be impacted if a distance were set.

Dean Storey stated again that he would welcome a distance requirement and that if it were 25 miles he isn't aware of any employees that would be impacted.

Council Member Lee made a motion adopting Resolution 16-3-1, Adopting a Vehicle Use Policy with the changes as outlined and a modification to Section IV to include a distance requirement of 25 miles, second by Council Member Garn.

The logo design will be reviewed and approved by the Mayor prior to the installation on City vehicles.

The vote on the motion was as follows:

Council Member Lee, yea
Council Member Snell, yea
Council Member Page, yea
Council Member Adams, yea
Council Member Garn, yea

The motion passed unanimously.

AMENDMENT OF THE KAYSVILLE CITY PERSONNEL RULES AND REGULATIONS TO ELIMINATE THE EMPLOYEE RESIDENCY REQUIREMENT

John Thacker stated that the residency requirement has been part of the Personnel Rules and Regulations for decades. The economy and infrastructure in the area have changed so it is recommended that the requirement be eliminated so that Kaysville can be more competitive and able to hire the best candidates for positions. Recently good police officer candidates were not hired because they were just outside of the allowed parameters.

Council Member Snell stated that the proposal makes good sense where travel and access has improved so much along the Wasatch Front. It is important to change it to make sure the City is able to hire the best candidates.

Council Member Page stated that Kaysville is only 10 sq. miles and it is an expensive City to live in. He thinks this should have been changed some time ago.

Council Member Page made a motion adopting Resolution 16-3-2, Amending the "Kaysville City Personnel Rules and Regulations" by repealing Section 2.02 for the Purpose of Eliminating the City Employee Residency Requirement and Establishing an Effective Date, second by Council Member Snell.

The vote on the motion was as follows:

Council Member Lee, yea
Council Member Snell, yea
Council Member Page, yea
Council Member Adams, yea
Council Member Garn, yea

The motion passed unanimously.

APPOINTMENT OF CITY MANAGER INTERVIEW COMMITTEE

Mayor Hiatt reminded the Council of the process for selecting a new city manager. The position was posted and applications were accepted until March 2.

The approved hiring process indicated that the Council would select an Interview Committee during this meeting. Legal counsel informed the City that it would be acceptable to have the Mayor and two Council Members on the Committee. The Committee would also include the city Finance Director, a Department Head and a city manager from a neighboring community.

JJ from Clearfield City suggested that Gary Hill from the City of Bountiful would be a good person to involve because he was formerly president of the City Manager's Association and works for a city with a power department. The current president and vice president of the City Manager's Association are willing to give feedback regarding the applications received. Mayor Hiatt recommended that the City Manager's Association members also be allowed to look over the applications.

The process this evening is to provide copies of the applications received. The Council has both digital and hard copies of the applications. The Council has one week from tonight to report back with their top ten applicants ranked in order of preference. With the Council's approval members of the City Manager's Association would also provide a top ten ranking.

The Mayor asked for nominations as to who would serve on that Interview Committee from the City Council.

Council Member Garn suggested Council Member Page and Council Member Snell to be part of the Interview Committee. The Council agreed with the suggestion.

Mayor Hiatt recommended other members of the Committee: the Finance Director and another department head and a city manager from a neighboring City.

Council Member Adams asked if was appropriate for someone to select who their boss would be.

Council Member Garn stated that he believes having employees involved would be very beneficial and important and it isn't an uncommon practice.

Mayor Hiatt stated that an employee should not be involved in the final selection, that would lie with the Council and the Council only, but to narrow the field a department head would be appropriate.

Council Member Lee stated that Chief Oberg would be a good person to have involved. Council Member Snell agreed.

Chief Oberg stated he would welcome the opportunity to participate.

Mayor Hiatt clarified that the Committee would consist of Mayor Hiatt, Council Member Snell, Council Member Page, Finance Director Dean Storey, Police Chief Sol Oberg, and a city manager from another city to be determined by the other members of the Committee.

Council Member Snell made the motion to have the Interview Committee include the members as stated by Mayor Hiatt, second by Council Member Lee.

The vote on the motion was as follows.

Council Member Lee, yea
Council Member Snell, yea
Council Member Page, yea
Council Member Adams, nay
Council Member Garn, yea

The motion passed 4 to 1.

Council Member Snell asked to whom the recommendations for the top ten are to be submitted.

Mayor Hiatt stated that the top ten candidate rankings are to be submitted to him.

Council Member Page asked for clarification that if the top ten were to be ranked one to ten.

Mayor Hiatt stated that is the case. He then reminded that the identity of the candidates, at least until they are further into the review process, are to be kept confidential.

COUNCIL MEMBER REPORTS

Council Member Lee stated that she has been working with Council Member Garn regarding the Play Unplugged program and they are making strides in the program to allow it to function without a cost to the city. The program is to encourage elementary school aged children to be active by earning badges. The program also acts as marketing for businesses in the community. The program is free for the children but they interact with businesses to get their badges. To make the program work a lanyard sponsor is necessary. Once this sponsor is selected further work will take place to get other businesses to participate at smaller sponsorship levels of individual brag badges. Chance Cook with Play Unplugged will manage the program with those who decide to be involved. The lanyard sponsorship is \$1 per lanyard and there are 6,800 elementary aged kids in the community.

Council Member Garn stated that Select Health has been contacted and seems interested but the final decision maker wasn't available so they are awaiting a decision. Because of the large number of students in the community there may be need for a second sponsor.

Council Member Lee continued to explain that individual businesses could get involved for only \$400 for a badge.

Mayor Hiatt stated that the city could inform businesses of the opportunity to be involved with contact information available in the city. He asked who would distribute the lanyards.

Council Member Lee stated that the schools would be given lanyards and they would distribute them with an instruction sheet as to how to participate. It has also been suggested that the Police Department participate in marketing the program to businesses and ask for their participation. The Fire Department might get involved as well.

Chief Oberg stated that it would be a good opportunity for them to interact with the community.

Mayor Hiatt explained the Chief Oberg may not have been around for the original presentation but some thought that that it was a very good thing for police departments that have participated in other cities.

Mayor Hiatt recognized that Select Health is a great organization and that there are several members of the community and local organizations in Kaysville that would be able and willing to participate.

Mayor Hiatt reported that the legislative session concludes one week from tonight. It has been very active with Council Members being involved. There were more bills this session than ever before in the range of 1200. The League of Cities and Towns has been very active and working hard to maintain appropriate power in local government. Many of the bills seeking to remove or undermine local government authority have been shut down or modified to be acceptable.

Council Member Garn stated that because of the vast number of bills reviewed during the 45 day session that it is a daunting task to be an expert on all the bills. Because of this it is important for citizens and groups to share concerns with elected officials to help out those making law.

Council Member Garn reported on the youth city council activity. The group had questions about civic involvement and expressed interest in a mock election and mock debate. Some of their concerns are going to be presented to other elected officials to consider the way that civic involvement is taught to the youth of our community.

Council Member Snell stated that the Parks and Recreation Department have met with Allan and Tammy Wurstens regarding their desires to have Pickle Ball in the city. A group is being organized to help raise funds to build Pickle Ball courts in the city. The group will come back at a later date to give more detail on their fundraising plan. He asked that the Council look at a proposal to place courts in Barnes Park near the west side of the park behind Egan Automotive and consider supporting reserving this proposed location for the time being. The proposal is to attract large tournaments with eight courts which would cost approximately \$250,000.

Mayor Hiatt stated that the City could receive and hold the funds raised for this purpose.

Council Member Snell stated there are many Pickle Ball enthusiasts that would contribute to this effort.

Mayor Hiatt asked if additional restrooms are proposed in the area near the courts.

Vance Garfield confirmed that is part of the plan but that the restrooms would be separate from the Pickle Ball project.

Council Member Page informed the Council that the mayor was in an article titled a Face in the Crowd and congratulated him on the article.

Council Member Adams stated that the Public Works Director will retire on November 6, 2016. He welcomed the new City Recorder and also stated that the City needs to make sure to look for opportunities for advancement for employees who have been serving the City.

MINUTES

Council Member Garn made a motion to approve the minutes of February 18, 2016 and February 20, 2016, second by Council Member Lee.

The vote on the motion was as follows:

Council Member Lee, yea
Council Member Snell, yea
Council Member Page, yea
Council Member Adams, yea
Council Member Garn, yea

The motion passed unanimously

CLAIMS

Council Member Snell made a motion approving the claims in the amount of \$239,937.08, second by Council Member Page.

The vote on the motion was as follows:

Council Member Lee, yea
Council Member Snell, yea
Council Member Page, yea
Council Member Adams, yea
Council Member Garn, yea

The motion passed unanimously.

CALENDAR

The Council Members reviewed a three month calendar.

The Mayor reminded Council Members that Council Meetings will be held on March 17, 2016 and March 31, 2016 and there will be no meeting on April 7, 2016 due to a conflict with the Utah League of Cities and Town Midyear Convention.

Council Member Lee made a motion to adjourn the City Council Meeting at 8:53 p.m., second by Council Member Snell.

The vote on the motion was as follows:

Council Member Lee, yea
Council Member Snell, yea
Council Member Page, yea
Council Member Adams, yea
Council Member Garn, yea

The motion passed unanimously.